

REMARKS

Reconsideration of the above-identified application in view of the amendment above and the remarks below is respectfully requested.

No claims have been canceled or added in this paper. Claim 70 has been amended in this paper. Therefore, claims 70-80 are pending and are under active consideration.

Claims 70-72, 75 and 76 stand rejected under 35 U.S.C. 102(b) “as being anticipated by Shannon (see 10, 12 in Fig. 1; col. 4, lines 30-43; Figs. 4 and 5).” In support of the rejection, the Patent Office states the following:

Shannon discloses the instant method of forming a laminate structure by providing first (10) and second (12) webs, each web having a plurality of elements thereon which are alignable with each other, the webs being pressed together under the force of a lamination nip to join the webs and thereby form individual units.

Applicants respectfully traverse the subject rejection. Claim 70, from which claims 71, 72, 75 and 76 depend, has been amended herein and now recites “[a] method of forming a laminate structure, said method comprising the steps of:

- (a) providing a first web, said first web comprising a plurality of first elements;
- (b) providing a second web, said second web comprising a plurality of second elements, said second elements being alignable with said plurality of first elements;
- (c) passing said first web and said second web through a lamination nip to fixedly join said first elements and second elements, whereby a laminate structure is formed.”

Claim 70 is neither anticipated by nor rendered obvious over Shannon for at least the reason that Shannon does not teach or suggest a method of forming a **laminate structure**. Instead, Shannon is directed merely at a method of molding contact lenses between a pair of webs. The Patent Office

is apparently taking the position that a laminate structure is formed during the transient period during which a contact lens is pressed between webs 10 and 12. However, Applicants respectfully disagree that a person of ordinary skill in the art would regard the fleeting combination of webs 10 and 12 as constituting the formation of a laminate structure. Rather, a person of ordinary skill in the art would regard a laminate structure as having its layers fixed to one another with some degree of permanence. Lamination of webs 10 and 12 does not take place in Shannon. Applicants have amended claim 70 in an effort to highlight this point. (To the extent that the Patent Office seems to be suggesting in paragraph 4 of the outstanding Office Action that the paragraph bridging cols. 4 and 5 of Shannon discloses that webs 10 and 12 are joined to one another after being separated from one another, Applicants respectfully disagree. It is clear from the passage in question, as well as from Fig. 1 of Shannon, that webs 10 and 12 are not joined to one another, but rather, that a foil 46 is joined either to web 10 or to web 12.)

Accordingly, for at least the above reasons, the subject rejection should be withdrawn.

Claims 73 and 74 stand rejected under 35 U.S.C. 103(a) “as being unpatentable over Shannon.” In support of the rejection, the Patent Office states the following:

Shannon discloses the basic method as set forth in paragraph 2, supra, the applied reference essentially lacking the aspect of making the webs using a rotary extrusion molding. It is submitted that such molding is well known in the art and would have been an obvious modification to the vacuum forming of Shannon dependent on the exact machinery available to make the webs. Certainly, rotary extrusion molding would have been equivalent to web feeding into a vacuum former.

Applicants respectfully traverse the subject rejection. Claims 73 and 74 depend from claim 70. Claim 70 is patentable over Shannon for at least the reasons given above. Therefore, based at least on their respective dependencies from claim 70, claims 73 and 74 are patentable over Shannon.

Accordingly, for at least the above reasons, the subject rejection should be withdrawn.

Claims 77-80 stand rejected under 35 U.S.C. 103(a) “as being unpatentable over Shannon in view of Anderson III et al (see 18, 44 and 75 in Figs. 4 and 5).” In support of the rejection, the Patent Office states the following:

Shannon discloses the basic claimed process of forming a laminate structure lacking essentially the aspect of filling the structure with an EAS marker. Anderson III et al discloses these steps. It would have been obvious to one of ordinary skill in the art to have employed EAS markers in lieu of the contact lenses taught in Shannon dependent on the exact article desired. While it is noted that Shannon forms and then separates the webs, they are substantially reformed and rejoined—ie, sealed—in later steps after a finished lens is inserted therein. See the passage bridging columns 4 and 5 in Shannon. The employment of the separator as a web to be joined as set forth in instant claim 80 would have been obvious in the combination as applied.

Applicants respectfully traverse the subject rejection. Claims 77-80 depend from claim 70. Claim 70 is patentable over Shannon for at least the reasons given above. Anderson III et al fails to cure all of the deficiencies of Shannon with respect to claim 70. Therefore, based at least on their respective dependencies from claim 70, claims 77-80 are patentable over Shannon in view of Anderson III et al.

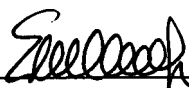
Accordingly, for at least the above reasons, the subject rejection should be withdrawn.

It is respectfully submitted that the present application is in condition for allowance. Prompt and favorable action is earnestly solicited.

If there are any fees due in connection with the filing of this paper that are not accounted for, the Examiner is authorized to charge the fees to our Deposit Account No. 11-1755. If a fee is required for an extension of time under 37 C.F.R. 1.136 that is not accounted for already, such an extension of time is requested and the fee should also be charged to our Deposit Account.

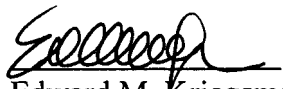
Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 3, 2007.


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